
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

UNITED STATES OF AMERICA

versus

VERNON T. JAMES

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CRIMINAL ACTION NO. 4:01-CR-57 (1)

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the above-referenced criminal action, this Court having heretofore referred the request for revocation of Defendant's supervised release to the United States Magistrate Judge for proper consideration. The Court has received the report of the United States Magistrate Judge pursuant to its order.

The Court has conducted a *de novo* review of Defendant's arguments herein. The Court held further hearings on June 12 and June 15, 2009, so that Defendant could be heard as to his objections to the report and recommendation and to allocute at sentencing. Denise Benson of the Federal Public Defender's Office in Sherman, Texas, was present, willing, and able to assist Defendant at both hearings. Nevertheless, Defendant voluntarily elected to represent himself in the proceedings without Ms. Benson's assistance. Having heard Defendant's objections and the arguments presented on the record, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and that Defendant's arguments are without merit.

The Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is therefore ORDERED that Defendant's supervised release is hereby REVOKED. It is further ORDERED that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of eighteen (18) months, with no

supervised release to follow. The Court finds this to be a reasonable sentence in view of the frivolous positions Defendant has taken in this matter, his lack of cooperation with probation, his obvious disregard for the judicial system, and his contumacious conduct and specious arguments presented at hearings before the undersigned.

IT IS SO ORDERED.

SIGNED at Beaumont, Texas, this 16th day of June, 2009.

A handwritten signature in cursive script, reading "Marcia A. Crone". The signature is written in black ink and is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE